

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
MIDLAND/ODESSA DIVISION

STATE OF TEXAS, ET AL.,  
*Plaintiffs,*

v.

DEPARTMENT OF THE INTERIOR,  
ET AL.,  
*Defendants.*

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CAUSE NO. 7:23-cv-00047-DC

**[PROPOSED] ORDER GRANTING JOINT MOTION TO MODIFY SCHEDULING  
ORDER DEADLINES**

Having considered the Parties' Joint Motion to Modify Scheduling Order Deadlines, and  
for good cause shown,

IT IS ORDERED THAT:

The Parties' Joint Motion to Modify Scheduling Order Deadlines is GRANTED. The  
Court modifies its September 13, 2023, Scheduling Order, ECF No. 39, as follows:

1. The Parties shall file all motions to amend or supplement pleadings or to join  
additional parties by **February 12, 2024**.
2. By **December 1, 2023**, Defendants shall produce a provisional administrative record  
and transmit copies to each separately represented party. The Parties shall meet and confer  
regarding administrative record issues by **January 4, 2024**.
3. By **February 5, 2024**, Defendants shall transmit to each separately represented party  
and lodge with the Court (1) the entire Administrative Record in this matter and (2) an affidavit  
authenticating the Administrative Record, detailing the process and procedure by which the  
Administrative Record was collected, and certifying its completeness.

3. By **March 8, 2024**, Plaintiffs shall file any objections or requests to supplement/amend the Administrative Record. Any disputes regarding the sufficiency, scope, or content of the Administrative Record or the supplementation of the same not raised during consultation of the Parties and by motion or before the **March 8, 2024**, deadline will be deemed to have been waived. If Plaintiffs believe discovery is needed to supplement or amend the Administrative Record, they shall file a motion for leave to do so by this date with a copy of the specific discovery sought.

4. By **April 8, 2024**, Defendants shall respond to any of the following filed by Plaintiffs, if any: motion for leave to seek discovery, objections or requests to supplement/amend the Administrative Record.

5. By **April 22, 2024**, Plaintiffs shall notify the Court whether any pending motion for leave to conduct discovery and/or objections to or requests to supplement/amend the Administrative Record remain, if any. The Parties agree that no additional motions for leave to conduct discovery and/or objection to or requests to supplement/amend the Administrative Record will be filed on this date.

6. Motions for summary judgment shall be filed by **May 3, 2024**. Responses to motions for summary judgment shall be filed by **June 14, 2024**. Reply briefs supporting a party's motion for summary judgment shall be filed by **June 28, 2024**.

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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DAVID COUNTS  
UNITED STATES DISTRICT JUDGE